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Attorneys for Plaintiff and the Putative Class

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

SHYRIAA HENDERSON, on behalf of
herself and all others similarly situated,

Plaintiff,

vs.

UNITED STUDENT AID FUNDS,
INC. D/B/A USA FUNDS,

Defendant.

CASE NO. 3:13-cv-1845-JLS-BLM
CLASS ACTION

**JOINT MOTION TO VACATE
REMAINING DATES IN THE
AMENDED CASE MANAGEMENT
CONFERENCE ORDER (DKT. NO.
131)**

Hon. Magistrate Barbara L. Major

1 Pursuant to the Chamber Rules of the Honorable Barbara Lynn Major and the
2 Amended Case Management Order (Dkt. No. 131), the parties Shyriaa Henderson
3 (“Plaintiff”) and Defendant United Student Aid Funds, Inc. (“Defendant”) hereby file a
4 Joint Motion to Vacate the Remaining Dates in the Amended Case Management
5 Conference Order (Dkt. No. 131). For the reasons stated herein, both Parties stipulate
6 and respectfully request this Court vacate the deadlines included in the current
7 Amended Case Management Conference Order:

8 WHEREAS, on October 20, 2015, this Court granted a joint request to amend the
9 Case Management Conference Order extending deadlines by one hundred and twenty
10 (120) days in order for Plaintiff to continue the receipt of discovery from non-party
11 vendors and file any necessary motions to compel in various jurisdictions (*see* Dkt. No.
12 124);

13
14 WHEREAS, on February 10, 2016, this Court granted a joint request by the
15 Parties to amend the Amended Case Management Conference Order by an additional
16 sixty (60) days so that Plaintiff could continue her receipt of discovery from non-party
17 vendors and conduct the depositions of Defendant and non-party Navient Solutions, Inc.
18 (*see* Dkt. No. 131);

19 WHEREAS, on October 14, 2016, this Court issued an Order Granting Joint
20 Motion to Modify Briefing Schedule and Sua Sponte Continuing Hearing Date,
21 providing dates in November and December for briefing by the Parties on Plaintiff’s
22 Motion for Class Certification Motion (Dkt. No. 142), Defendant’s Motion to Strike
23 Declaration of Jeffrey A. Hansen (Dkt. No. 158) and Defendant’s Motion for Summary
24 Judgment (Dkt. No. 173) and setting a hearing date for all motions on February 2, 2017
25 (*see* Dkt. No. 187);

26 WHEREAS, on November 4, 2016, the hearing date for all motions was sua
27 sponta continued to February 8, 2017 (*see* Dkt. No. 191);

28 WHEREAS, a Settlement Conference is currently set for March 29, 2017 (*see*

1 Dkt. No. 190);

2 WHEREAS, due to the extended briefing schedule and continued hearing date on
3 the relevant motions as well as the continued Settlement Conference date, good cause
4 exists to vacate the remaining dates included in the current Amended Case Management
5 Conference Order and re-set those dates after a ruling on the outstanding motions;

6 WHEREAS, these dates include: (1) the November 21, 2016, deadline for pretrial
7 motions; (2) the March 2, 2017, deadline for counsel to serve on each other and file
8 their Memoranda of Contentions of Fact and Law, other actions required by Local Rule
9 16.1 (f)(2) and pretrial disclosures requirements of Fed. R. Civ. P. 26(a)(3); (3) the
10 March 9, 2017, deadline for counsel to confer and take action required by Local Rule
11 16.1(f)(4); (4) the March 23, 2017, deadline for the proposed final pretrial conference
12 order; and (5) the March 30, 2017, date for the final pretrial conference;

13 THEREFORE, the Parties hereby stipulate that the remaining dates provided in
14 the Amended Case Management Conference Order are vacated, to be re-set pending
15 rulings on Plaintiff's Motion for Class Certification (Dkt. No. 142), Defendant's Motion
16 to Strike Declaration of Jeffrey A. Hansen (Dkt. No. 158) and Defendant's Motion for
17 Summary Judgment.
18

19 **IT IS SO STIPULATED.**
20

21 Dated: November 11, 2016

By: /s/ Alexis M. Wood

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Attorneys for Plaintiff and the Proposed Class

Dated: November 11, 2016

By: /s/ Lisa M. Simonetti

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Attorneys for Defendant

CERTIFICATION OF APPROVAL OF CONTENT

I, Alexis M. Wood, counsel for Plaintiff, in the above-entitled matter, hereby certify that the required parties have approved and accepted the content of the Joint Motion to Vacate Remaining Dates in the Amended Case Management Conference Order (Dkt. No. 131), and that I have obtained authorization from Lisa Simonetti, counsel for Defendant, for her electronic signature.

Dated: November 11, 2016

LAW OFFICES OF RONALD A. MARRON

By: /s/ Alexis M. Wood

ALEXIS M. WOOD

Attorney for Plaintiff and the Proposed Class